

11/28/01

11/31 U.S. PTO

P21651.P01

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P21651

Total Pages

Inventor(s) or Applicant Identifier
Yoshinobu HANYU, Mariko OKADA, Chihiro SHINDO,
Satoshi NISHIMURO, Tetsuo YOKOYAMA, and Masato
HORIETitle: POWDER CONTAINING PHYSIOLOGICALLY
ACTIVE PEPTIDE

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
a. ☐ Small Entity
Statement(s)
3. ☒ Specification [Total Pages 35]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program
listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets 4]
- ☒ Oath or Declaration [Total Pages 4]
a. ☐ Newly executed (original or copy) ☐ Unexecuted
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 20 completed)
[Note Box 6 below]
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
- ☒ Incorporation By Reference (useable if Box 5b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 5b, is
considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.
7. ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-Rom or CD-R in duplicate, large table or Computer
Program (Appendix)

ACCOMPANYING APPLICATION PARTS

9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure ☐ Copies of IDS Citations
Statement (IDS)/PTO-1449
14. ☒ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. ☒ Figure of Drawing to be published 1
17. ☒ Foreign priority claimed
a. ☒ Claim of Priority
b. ☐ Certified Copy of Priority Document(s)
18. ☒ Assignee: JCR PHARMACEUTICALS CO., Ltd. of Hyogo,
JAPAN
19. ☐ Other: _____

20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior Application No. 09/810,483, filed March 19, 2001.
Prior application information: Examiner: _____ Group Art Unit: _____21. ☐ Amend the specification by inserting before the first line the sentence:This application is a continuation-in-part, continuation, divisional, of Application No. _____, filed _____.Address all future correspondence to **Customer No. 7055** at the present address of:GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191Nov 27, 2001
DateSignature
Bruce H. Bernstein, Reg No. 29,027
Typed or Printed Name

07055

PATENT TRADEMARK OFFICE

FEE TRANSMITTAL		Complete if Known																																																																																																																																																																																																							
		Application Number	Not Yet Assigned																																																																																																																																																																																																						
		Filing Date	Concurrently Herewith																																																																																																																																																																																																						
		First Named Inventor	Y. HANYU et al.																																																																																																																																																																																																						
		Group Art Unit	Unassigned																																																																																																																																																																																																						
		Examiner Name	Unassigned																																																																																																																																																																																																						
TOTAL AMOUNT OF PAYMENT (\$) 616.00		Attorney Docket Number P21651																																																																																																																																																																																																							
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																							
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <u>19-0089</u> Deposit Account Name <u>GREENBLUM & BERNSTEIN, P.L.C.</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)) <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) <input checked="" type="checkbox"/> Applicant Claims Small Entity Status See 37 CFR 1.27.		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for response within 1st month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for response within 2nd month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for response within 3rd month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for response within 4th month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for response within 5th month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of IDS</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify) _____</td></tr> <tr><td colspan="6">Other fee (specify) _____</td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (3) (\$)</td> <td>0.00</td> </tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR						Prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for response within 1st month		116	400	216	200	Extension for response within 2nd month		117	920	217	460	Extension for response within 3rd month		118	1,440	218	720	Extension for response within 4th month		128	1,960	228	980	Extension for response within 5th month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive unavoidably abandoned application		141	1,280	241	640	Petition to revive unintentionally abandoned application		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of IDS		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						Other fee (specify) _____						SUBTOTAL (3) (\$)					0.00
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																				
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																																					
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																					
139	130	139	130	Non-English specification																																																																																																																																																																																																					
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																					
112	920*	112	920*	Requesting publication of SIR																																																																																																																																																																																																					
				Prior to Examiner action																																																																																																																																																																																																					
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																					
115	110	215	55	Extension for response within 1st month																																																																																																																																																																																																					
116	400	216	200	Extension for response within 2nd month																																																																																																																																																																																																					
117	920	217	460	Extension for response within 3rd month																																																																																																																																																																																																					
118	1,440	218	720	Extension for response within 4th month																																																																																																																																																																																																					
128	1,960	228	980	Extension for response within 5th month																																																																																																																																																																																																					
119	320	219	160	Notice of Appeal																																																																																																																																																																																																					
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																																					
121	280	221	140	Request for oral hearing																																																																																																																																																																																																					
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																					
140	110	240	55	Petition to revive unavoidably abandoned application																																																																																																																																																																																																					
141	1,280	241	640	Petition to revive unintentionally abandoned application																																																																																																																																																																																																					
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																																					
143	460	243	230	Design issue fee																																																																																																																																																																																																					
144	620	244	310	Plant issue fee																																																																																																																																																																																																					
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																					
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																					
126	180	126	180	Submission of IDS																																																																																																																																																																																																					
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																					
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																					
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																					
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																																					
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																					
Other fee (specify) _____																																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																																									
SUBTOTAL (3) (\$)					0.00																																																																																																																																																																																																				
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																																																																																																																																																																																									
FEE CALCULATION (fees effective 10/29/99)																																																																																																																																																																																																									
1. FILING FEE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td>370</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="6">SUBTOTAL (1) (\$) 370</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	370	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1) (\$) 370																																																																																																																																																																			
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																				
101	740	201	370	Utility filing fee	370																																																																																																																																																																																																				
106	330	206	165	Design filing fee																																																																																																																																																																																																					
107	510	207	255	Plant filing fee																																																																																																																																																																																																					
108	740	208	370	Reissue filing fee																																																																																																																																																																																																					
114	160	214	80	Provisional filing fee																																																																																																																																																																																																					
SUBTOTAL (1) (\$) 370																																																																																																																																																																																																									
2. CLAIMS <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="6">SUBTOTAL (2) (\$) 246</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim		109	84	209	42	Reissue independent claims over original patent		110	18	210	9	Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$) 246																																																																																																																																																																			
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																				
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																					
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																																					
104	280	204	140	Multiple dependent claim																																																																																																																																																																																																					
109	84	209	42	Reissue independent claims over original patent																																																																																																																																																																																																					
110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																					
SUBTOTAL (2) (\$) 246																																																																																																																																																																																																									

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Bruce H. Bernstein		Reg. Number	
Signature		Date		29,027 <i>3/12</i>	
				Deposit Account User ID	

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

11/29/2001 SMINASS1 00000044 09994773

01 FC:201	370.00 OP
02 FC:203	36.00 OP
03 FC:202	210.00 OP

PTO-1556
(5/87)

*U.S. GPO: 2000-468-987/39595